

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RUBY FREEMAN and WANDREA' MOSS,

Plaintiffs,

v.

RUDOLPH W. GIULIANI,

Defendant.

No. 24-cv-06563-LJL

**DECLARATION OF
RUDOLPH W. GIULIANI**

Pursuant to 28 U.S.C. § 1746, I, Rudolph W. Giuliani, declare and state under penalties of perjury that:

1. I am the Defendant in this action.
2. I respectfully submit this Declaration in opposition to Plaintiffs' motion for summary judgment and in support of Defendant's cross-motion for summary judgment regarding the Plaintiffs' efforts to enforce their judgment against my condominium unit, located at 315 South Lake Drive, Unit 5D, Palm Beach, Florida (the "Palm Beach Condo").
3. On February 11, 2010, my then-wife and I purchased the Palm Beach Condo. A copy of the deed recorded on February 11, 2010, in the Office of the Palm Beach County Clerk, State of Florida, is annexed hereto as Exhibit A.
4. On January 14, 2020, as part of a divorce distribution with my ex-wife, I became the sole owner of my Palm Beach Condo. A copy of the deed recorded on February 7, 2020, in the Office of the Palm Beach County Clerk, State of Florida, is annexed hereto as Exhibit B.
5. In or about July 2023, I decided to sell my New York cooperative apartment, located at 45 East 66th Street, Apartment 10W, New York City (the "New York Apartment"). I have since relocated to Florida, which is now my permanent residence.

6. In July 2023, I entered into a contract with Sotheby's International Realty ("Sotheby's"), engaging Sotheby's to broker the sale of my New York Apartment. A copy of the brokerage agreement with Sotheby's is annexed hereto as Exhibit C.

7. Once the New York Apartment is sold, the Palm Beach Condo will be the only real estate that I own.

8. Plaintiffs claim that I did not actually reside at the Palm Beach Condo and that I could not have established it as a "homestead" prior to the alleged fixing of Plaintiffs' lien on August 8, 2024. In fact, I have actually occupied the Palm Beach Condo for many years prior to August 8, 2024.

9. Prior to August 8, 2024, the Palm Beach Condo was my primary residence and my homestead and as set forth below, the Court will see that I spent a substantial amount of my time residing in my Palm Beach Condo, prior to August 8, 2024.

10. On February 22, 2024, I was issued a Florida driver's license, at the address of the Palm Beach Condo, a copy of which is annexed hereto as Exhibit D.

11. On May 6, 2024, I registered my 1980 automobile in Florida, at the Palm Beach Condo address. I was also issued a Florida license plate by the State of Florida for my vehicle. Exhibit E.

12. On May 18, 2024, I registered to vote in Florida. Exhibit F.

13. Palm Beach County has granted me homestead-related tax exemptions. *See* Exhibit G.

14. I made a declaration of Florida domicile, which was recorded in the office of the Palm Beach County Clerk on July 15, 2024. *See* Exhibit H.

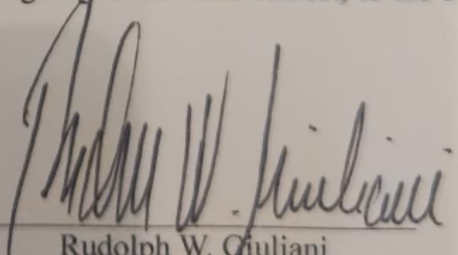
15. The Palm Beach Condo is my home, and was my home prior to August 8, 2024, with my intention to remain in the Palm Beach Condo, and to actually use and occupy the Palm Beach Condo as my primary residence.

16. I have been shown a chart/calendar for February 2024, through August 2024, Exhibit I, which, to the best of my recollection, accurately shows my whereabouts. During that period of time:

- (a) When I was in Palm Beach, I resided in my condo.
- (b) When I was in New York, I conducted business and visited my family.
- (c) When I was in New Hampshire, I conducted business. I also engaged in leisure activities. For example, in April, I went to New Hampshire to watch the total eclipse. During the summer (June, July and August), I was in New Hampshire in order to get away from the heat and humidity of South Florida, which are bad for my lung injuries, sustained as a result of the 9/11 attacks.
- (d) I was also in other cities for business. For example, I covered the Republican National Convention in Milwaukee, Wisconsin, the Democratic National Convention in Chicago, Illinois, I did a live televised interview in Dallas, Texas, and I broadcasted from Paris, France, during the summer Olympics.
- (e) I was in Arizona for one day for a court appearance.

I declare under penalty of perjury that the foregoing is true and correct, to the best of my knowledge information and belief.

Dated: October 16, 2024


Rudolph W. Giuliani